

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On March 3, 1922, the Fruit Growers Exchange, claimant, having admitted the allegations of the libels and having consented to the entry of decrees of condemnation and forfeiture, judgments of the court were entered finding the product to be adulterated and ordering its delivery to the said claimant, upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$5,000, in conformity with section 10 of the act, conditioned in part that it be salvaged under the supervision of this department, the bad portion to be destroyed and the good portion to be released to the said claimant without conditions.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10340. Adulteration and misbranding of gelatin. U. S. * * * v. One Drum of Gelatin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10467. I. S. No. 12103-r. S. No. C-1269.)

On June 3, 1919, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one drum of gelatin, remaining in the original package at Cleburne, Tex., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about March 29, 1919, and transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that glue had been substituted in whole or in part for pure food gelatin, and for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, a quantity of zinc, which might render it injurious to health.

Misbranding was alleged in substance for the reason that the article was labeled and branded "Pure Food Gelatine," which said statement was false and misleading and deceived and misled the purchaser in that the said article was not in truth and in fact pure food gelatin, but was a mixture of gelatin, glue, and zinc. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale as, pure food gelatin.

On March 3, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10341. Adulteration and misbranding of canned red kidney beans. U. S. * * * v. 36 Cases * * * of Red Kidney Beans * * *
Judgment by consent ordering release of the product under bond.
 (F. & D. No. 12151. I. S. No. 8572-r. S. No. C-1738.)

On February 18, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 cases of red kidney beans, at Davenport, Iowa, alleging that the article had been shipped by the Central States Canning Co., Indianapolis, Ind., on or about July 21, 1919, and transported from the State of Indiana into the State of Iowa, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Central States Brand Red Kidney Beans * * * Packed by Central States Canning Company, Indianapolis, Indiana."

Adulteration of the article was alleged in substance in the libel for the reason that long cranberry beans had been substituted in whole or in part for red kidney beans.

Misbranding was alleged for the reason that the statement "Red Kidney Beans" was false and misleading and deceived and misled the purchaser when applied to long cranberry beans. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On October 18, 1921, the Central States Canning Co., Indianapolis, Ind., claimant, having admitted the material allegations of the libel, having consented to a decree, and having agreed to eliminate the words "Red Kidney" and to substitute therefor the words "Naga Uzura," judgment of the court